Writ Petition No. 262 (M/S) of 2003

M/s Him Oils Pvt. Ltd. --------- Petitioner.

Versus

State and others. --------- Respondents

Hon'ble M.M. Ghildiyal J.

This petition under Article-227 of the Constitution of India has been filed by the petitioner for direction, to the District Judge, Nainital for early disposel of Misc. case No. 57 of 2001, pending in the Court of Addl. Civil Judge (Sr. Div.), Nainital. The contention of the petitioner is that he has filed suit No. 140 of 1997 for permanent injunction and damages. On 18.10.2001, the suit was dismissed in default. Application for restoration of the suit was moved by the petitioner/plaintiff. Since, there is no Presiding Officer in the Court of Addl. Civil Judge (Sr. Div.) Nainital, the case is lingering on. I, direct the Civil Judge (Sr. Div.),/in0charge Civil Judge (Sr. Div.), Nainital to decide the case No. 57/2001 expeditiously.

Writ these observations the Writ Petition is disposed of finally.

(M.M. Ghildiyal J.)

09.04.2003:
MPS